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ACTION AF-01

INFO	LOG-00	AID-00	CA-02	CIAE-00	SMEC-00	OASY-00	DODE-00
	DS-00	EB-01	EUR-01	FDRE-01	H-01	IMMC-01	TEDE-00
	INR-00	IO-10	LAB-01	L-01	ADS-00	MFLO-03	M-00
	NSAE-00	NSCE-00	OCS-06	OIC-02	OMB-01	PA-01	PM-00
	PRS-01	P-01	SCT-00	SP-00	SR-00	SSO-00	SS-00
	STR-01	TRSE-00	T-00	USIE-00	FMP-00	PMB-00	DSCC-00
	PRME-01	DRL-09	G-00	/046W			

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O 030121Z MAY 95
 FM USMISSION USUN NEW YORK
 TO AMEMBASSY THE HAGUE IMMEDIATE
 SECSTATE WASHDC IMMEDIATE 4577
 INFO AMEMBASSY KIGALI PRIORITY
 AMEMBASSY BRUSSELS PRIORITY

C O N F I D E N T I A L SECTION 01 OF 02 USUN NEW YORK 001739

DEPT FOR DRL(NIX) , IO(SHIPSHOCK) , L(MATHESON)

E.0.12356: 02 MAY 2005
 TAGS: PREL, PHUM, UN
 SUBJECT: MEETING WITH JUSTICE GOLDSSTONE ON RWANDA
 TRIBUNAL

REF: USUN 1665

1. CONFIDENTIAL--ENTIRE TEXT
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2. JUSTICE RICHARD GOLDSSTONE, PROSECUTOR OF THE INTERNATIONAL TRIBUNALS FOR THE FORMER YUGOSLAVIA AND RWANDA, MET ON APRIL 28 WITH DAVID SCHEFFER AND JIM O'BRIEN, BOTH OF USUN/W. TOPICS DISCUSSED INCLUDED GOLDSSTONE'S MEETINGS WITH THE U.N. SECRETARIAT; U.S. PERSONNEL CONTRIBUTED TO THE TRIBUNAL; AND PROSPECTIVE CONTRIBUTIONS TO THE RWANDA TRIBUNAL.

GOLDSSTONE'S U.N. MEETINGS

3. GOLDSSTONE SAID THAT HIS MEETINGS WITH THE U.N. SECRETARIAT HAD BEEN CONSTRUCTIVE. THE SECRETARIAT HAD AGREED, HE SAID, TO PERMIT SUBSTANTIAL CONTRIBUTIONS FROM WESTERN COUNTRIES WITHOUT INSISTING ON GEOGRAPHIC DISTRIBUTION, TO WAIVE U.N. ADMINISTRATIVE CHARGES ON VOLUNTARY CONTRIBUTIONS, AND TO PERMIT THE TRIBUNAL TO EXTEND JOB OFFERS OF TWELVE MONTHS.

4. ONE DARK CLOUD CONCERNED FUNDING. ALL RWANDA TRIBUNAL ACTIVITIES MUST BE FINANCED FROM VOLUNTARY CONTRIBUTIONS UNTIL THE TRIBUNAL BUDGET IS APPROVED, GOLDSSTONE WAS TOLD. HE EMPHASIZED THAT PAYMENTS FROM VOLUNTARY CONTRIBUTIONS WOULD BE USED ONLY TO BRIDGE A GAP UNTIL THE U.N. BUDGET WAS APPROVED, AND HE HAD PRESENTED A PROPOSED BUDGET TO THE SECRETARIAT.

5. IT IS UNCLEAR WHY NO U.N. FUNDS ARE AVAILABLE. ONE EXPLANATION IS THAT THE COMMITMENT AUTHORITY HAS BEEN COMMITTED TO OTHER PURPOSES (AS WAS SUGGESTED TO USUN SEVERAL WEEKS AGO); ANOTHER THAT IT HAS EXPIRED (AS CONFIDENTIAL

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GOLDSSTONE SAYS HE WAS TOLD); AND A THIRD THAT THERE ARE NO FUNDS AVAILABLE FROM OTHER U.N. PROGRAMS (AS REPORTED IN REF A). (IN A SEPARATE MEETING, COLIN PORT, HEAD OF INVESTIGATIONS FOR THE RWANDA TRIBUNAL, SAID THAT THE SECRETARIAT DID NOT EXPLAIN WHY FUNDS WERE UNAVAILABLE. UNDERSECRETARY GENERAL CONNOR EMPHASIZED THAT THE U.S. SHOULD PAY ITS ARREARS.)

6. THE EXPLANATIONS ARE UNSATISFACTORY. NO OTHER TRIBUNAL PURPOSES ARE OF HIGHER PRIORITY THAN HIRING

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STAFF AND STARTING INVESTIGATIONS; THE U.N. TOLD USUN IN MID-MARCH THAT THE COMMITMENT AUTHORITY WOULD NOT EXPIRE; AND IT IS VERY HARD TO BELIEVE THAT THE U.N. CANNOT FREE UP ANY FUNDS FROM OTHER PROGRAMS FOR THE TRIBUNALS, ESPECIALLY AS THE TRIBUNAL COMMITMENTS ARE PROSPECTIVE, REQUIRING VERY LITTLE CASH IN HAND. WE EXPECT THAT THE U.S.G. WILL CLARIFY THE MATTER WHEN NEXT DISCUSSING TRIBUNAL FINANCING WITH THE SECRETARIAT.

7. ANOTHER PROBLEM CONCERNED THE PROSECUTOR'S PLAN TO HAVE HIS MAIN OFFICE IN ARUSHA. GOLDSTONE INTENDS TO LOCATE ABOUT 15-20 RWANDA TRIBUNAL PERSONNEL IN KIGALI (ROTATING THROUGH FROM OTHER LOCATIONS); ABOUT 40-60 IN ARUSHA; AND UP TO 20 IN THE HAGUE. DEPUTY LEGAL ADVISER RALPH ZACKLIN ARGUED THAT THE SECURITY COUNCIL AND THE GOVERNMENT OF RWANDA EXPECTED THE PROSECUTOR'S ACTIVITIES TO BE CENTERED IN RWANDA. GOLDSTONE REPORTED THAT ZACKLIN AGREED THAT THE PROSECUTOR WOULD SUBMIT A REPORT TO THE SECURITY COUNCIL OUTLINING HIS PLAN; THE SECRETARIAT WOULD ACCEPT THE COUNCIL'S REACTION.

(REFTEL CONFIRMS THIS.) SEPTEL WILL ASK USUN TO SEEK
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CLARIFICATION.

U.S. PERSONNEL

8. GOLDSTONE DISCUSSED HIS PLANS FOR [REDACTED] TWO FSOS CONTRIBUTED TO THE TRIBUNAL AT U.S. EXPENSE AND CURRENTLY WORKING IN THE PROSECUTOR'S CENTRAL SECRETARIAT. BOTH HAD CURTAILED THEIR ASSIGNMENTS (TO END IN JUNE 1995) AT GOLDSTONE'S REQUEST. ON FRIDAY, GOLDSTONE PRAISED BOTH, NOTING THAT THEY HAD BEEN INSTRUMENTAL TO THE TRIBUNAL'S PROGRESS.

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9. GOLDSTONE EXPRESSED STRONG INTEREST IN PLACING [REDACTED] IN ZAGREB, EITHER IN THE PROSECUTOR'S OFFICE THERE OR IN THE U.S. EMBASSY, PROVIDED THAT SHE HAD A PARTIAL MANDATE TO ASSIST THE TRIBUNAL IN A LIAISON CAPACITY. HE STRESSED HER KNOWLEDGE OF TRIBUNAL NEEDS AND PRACTICES AS MILITATING IN FAVOR OF PLACING HER THERE. GOLDSTONE PROMISED TO CONSULT EARLY THE WEEK OF MAY 1

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WITH DEPUTY PROSECUTOR GRAHAM BLEWITT AND CHIEF INVESTIGATOR AL MILROY TO SEE WHETHER THE PROSECUTOR'S OFFICE HAD A PREFERENCE. HE PROMISED A RESPONSE THROUGH EMBASSY THE HAGUE. HE ASKED THAT [REDACTED] STAY ON WITH THE TRIBUNAL. SCHEFFER AND O'BRIEN SAID THAT THEY WOULD ASK THE DEPARTMENT TO START THE PAPERWORK NECESSARY FOR

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C O N F I D E N T I A L SECTION 02 OF 02 USUN NEW YORK 001739

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TRIBUNAL

REVERSING [REDACTED] CURTAILMENT.

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VOLUNTARY CONTRIBUTIONS

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10. GOLDSSTONE SAID THAT HE VERY MUCH WANTS TO SEEK ADDITIONAL VOLUNTARY CONTRIBUTIONS FOR THE RWANDA TRIBUNAL. SCHEFFER ASKED HOW THE U.S. GOVERNMENT COULD HELP GENERATE VOLUNTARY CONTRIBUTIONS FROM OTHER STATES AND NON-GOVERNMENTAL ORGANIZATIONS. GOLDSSTONE SAID THAT HE WANTS TO EMPHASIZE THE OPERATIONAL SUPPORT GROUP'S NETWORK. SCHEFFER AND O'BRIEN URGED HIM TO DISCUSS THIS WITH AMBASSADOR FRIEDMAN ON MAY 2.

11. GOLDSSTONE REPORTED THAT THREE BRITISH INVESTIGATORS CONTRIBUTED BY HMG WERE DUE TO START WORK THE WEEK OF MAY 1. HE NOTED THAT HE HAS AN INFORMAL COMMITMENT FROM THE DUTCH GOVERNMENT FOR A SIZABLE CONTRIBUTION; THE TRIBUNAL HAS REQUESTED \$1 MILLION AND 20 INVESTIGATORS. (THE DUTCH HAVE OVER \$60 MILLION EARMARKED FOR RWANDAN ASSISTANCE BUT HAVE SUSPENDED DIRECT ASSISTANCE, LEAVING THEM WITH CONSIDERABLE RESERVES THAT MIGHT BE USED FOR THE TRIBUNAL.)

12. GOLDSSTONE ALSO REPORTED BELGIAN INTEREST IN A LARGE VOLUNTARY CASH CONTRIBUTION, PERHAPS ON THE ORDER OF \$1 MILLION. THE GOB'S AMBASSADOR IN THE HAGUE SAID THAT SOME OF THAT AMOUNT MIGHT BE DEDICATED TO IMPROVING PRISON CONDITIONS IN KIGALI. (PORT SAID ON MAY 2 THAT OTHERS IN THE BELGIAN EMBASSY HAVE TOLD HIM THAT THE MONEY WOULD BE AVAILABLE FOR THE TRIBUNAL EXCLUSIVELY.)

OTHER ISSUES

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13. GOLDSSTONE REPORTED THAT HE HAD RECEIVED LARGELY
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FAVORABLE RESPONSE TO HIS ANNOUNCEMENT EARLIER IN THE
WEEK OF THE TRIBUNAL'S INTENTIONS CONCERNING KARADZIC
AND MLADIC. HE WAS ESPECIALLY PLEASED WITH THE REACTION
OF THE GOVERNMENT OF CROATIA, HE SAID; IT HAD PROMISED
FULL COOPERATION.

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